

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

PLU INVESTMENTS, LLC, and Arizona limited
liability company,

Plaintiff,

v.

INTRASPECT GROUP, INC., a Nevada
Corporation; National Housing Solutions, LLC, a
Nevada limited liability company; TODD
BUCKNER and JANE DOE BUCKNER,
husband and wife,

Defendants

No. 2:10-CV-00626-RSL

DECLARATION OF
NATALIA LITCHEV IN
SUPPORT OF MARINA
ANDRUSHCHAK'S MOTION
FOR RELIEF FROM
DEADLINE AND FOR AN
AWARD OF ATTORNEY'S
FEES

NOTE ON MOTION
CALENDAR:
March 4, 2010

I, Natalia Litchev, declare as follows:

1. I am the attorney for MARINA ANDRUSHCHAK ("MARINA"), the prevailing party in this action.
2. I am over 18 years of age, have personal knowledge of the facts herein and competent to testify in the court of law.
3. I had at least one telephone conversation with counsel for PLU Roger Cohen and advised that no marital community has existed at all relevant time and requested that MARINA be released from the lawsuit. Counsel for PLU was also advised thereto via MARINA's

1 Motion to Set Aside Default filed as early as on or about June 29, 2010, and containing
2 an attached copy of the Court Judgment finding that the parties were separated on
3 September 2, 2007 and stating that the separation contract was executed on December 15,
4 2009, as well as via MARINA's subsequent Answer to Complaint and declarations of
5 MARINA and TODD filed subsequently in support of MARINA's Motion for Summary
6 Judgment.

- 7
- 8 4. Despite of the above, Counsel for PLU refused to release MARINA from the lawsuit,
9 moreover, refused to stipulate to setting aside her default caused by lack of service of
10 process and failed to do timely discovery, causing delays in adjudication of the Motion
11 for Summary Judgment filed by MARINA.
- 12 5. After all that trouble and many hours of attorney's fees incurred by MARINA, on
13 January 14, 2011, Counsel for PLU deposed MARINA for less than one and a half hours
14 and did not contest her Motion for Summary Judgment, and failed to file Plaintiff's
15 Notice of Non-Opposition.
- 16 6. On January 26, 2011, I e-mailed attorney Teru Olsen, counsel for PLU requesting
17 payment of the attorney's fees.
- 18 7. On January 27, 2011, attorney Olsen replied and requested the dollar amount of the fees
19 attributable to Marina. A true and correct copy of Mr Olsen's e-mail is attached hereto as
20 Exhibit A and is incorporated by reference.
- 21 8. On February 1, 2011, I e-mailed the spreadsheet containing the fees breakdown to Mr
22 Olsen. A true and correct e-mail from me to Mr Olsen is attached hereto as Exhibit B and
23 incorporated by reference.
- 24 9. On February 2, 2010, counsel for PLU responded that he would contact PLU regarding
25 the same. A true and correct copy of Mr Olsen's e-mail is attached hereto as Exhibit C.
- 26 10. I have not received a negative response from Mr Olsen and followed up with an e-mail on
27 February 14, 2011 but again have not heard from counsel for PLU.
- 28

1 11. I was mistakenly led to believe to counsel for PLU intended to negotiate the settlement of
2 the fee issues, while now I believe they merely wanted to cause me to believe that that
3 was their intent in hopes that I would not bring a timely motion, knowing that my client
4 was unemployed, limited in means and reluctant to spend further fees in this matter.

5 12. I brought this motion as soon as I realized that Plaintiff had no intent of settling the
6 attorney's fees issue and I apologize to the court for bringing this motion beyond the 14
7 days provided by Rule 54(d) and respectfully request that the Court grants relief to
8 MARINA.
9

10 13. My hourly rate is \$200. I have expended 25.9 hours attributable to MARINA for the total
11 amount of \$5,180. A true and correct spreadsheet of my billable hours to MARINA is
12 attached hereto as Exhibit D.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed in
14 Kirkland, Washington on February 23, 2010.

15 _____ s// Natalia Litchev _____
16 Natalia Litchev
17 Litchev Law Firm
18 5400 Carillon Point
19 Bldg 5000, Fourth Floor
Kirkland, WA 98033
425-999-9061
Natalia@eastsideattorney.com

20 **Certificate Of Service**

21 I, Natalia Litchev of Litchev Law Firm, certify that on February 23, 2011 I filed and served the
22 attached document on counsel for Plaintiff via ECF system

23 _____ s// Natalia Litchev _____
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